

MINUTES

**CITY OF IMPERIAL BEACH
CITY COUNCIL
PLANNING COMMISSION
PUBLIC FINANCING AUTHORITY
HOUSING AUTHORITY
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

DECEMBER 9, 2015

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

***CLOSED SESSION MEETING – 4:30 P.M.
SPECIAL MEETING – 5:00 P.M.***

CLOSED SESSION MEETING CALL TO ORDER

Mayor Dedina called the closed session meeting to order at 4:30 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present: Bragg
Councilmembers absent: Patton, Spriggs
Mayor Present: Dedina
Mayor Pro Tem Present: Bilbray
Staff Present: City Manager Hall, City Attorney Lyon, Deputy City Clerk Carballo

City Attorney Lyon stated that due to a potential conflict of interest, she and her firm, will not be participating on the Closed Session item nor Item No. 2.5 on the Consent Calendar. The City has retained outside counsel on the matter.

CLOSED SESSION

MOTION BY BRAGG, SECOND BY BILBRAY, TO ADJOURN TO CLOSED SESSION UNDER:

1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (One potential case: Dispute between City of Coronado, U.S. Navy and Imperial Beach regarding the proposed increase in wastewater from Naval Base into City of Imperial Beach's wastewater system and impact of San Diego LAFCO decision allowing Navy to route its wastewater to Imperial Beach)

MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BRAGG, BILBRAY, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: PATTON, SPRIGGS

Mayor Dedina adjourned the meeting to Closed Session at 4:31 p.m. and he reconvened the meeting to Open Session at 4:59 p.m.

Reporting out of Closed Session, City Manager Hall announced Councilmembers Dedina, Bilbray and Bragg discussed Closed Session Item No. 1, City Council gave direction and no reportable action was taken.

ADJOURN CLOSED SESSION

Mayor Dedina adjourned the Closed Session meeting at 4:59 p.m.

SPECIAL MEETING CALL TO ORDER

Mayor Dedina called the Special Meeting to order at 5:00 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present: Bragg
Councilmembers absent: Patton, Spriggs
Mayor Present: Dedina
Mayor Pro Tem Present: Bilbray
Staff Present: City Manager Hall, City Attorney Lyon, City Clerk Hald, Assistant City Manager Dush, Public Works Director Levien, Administrative Services Director Bradley, Deputy City Clerk Carballo

PUBLIC COMMENT

None.

PRESENTATIONS (1.1)

1.1* PRESENTATION ON PORT DISTRICT ACTIVITIES BY PORT CHAIRMAN MALCOLM. (0150-70)

Port Commissioner Dan Malcom spoke regarding Port District Activities highlighting approval of the Pond 20 Economic Development Fund stating it sends a message to the community that environmental stewardship and economics can go hand in hand. He reported the pier is going to get a new revitalized use, and stated the remaining street ends would be made a priority. He extended an invitation to Council to attend the Port Commissioners ceremony.

City Manager Hall reported he attended a very productive meeting with Port staff, where they addressed issues such as the lack of power at Pier Plaza and announced the Parade of Lights will be held this Sunday and the following Sunday.

In response to Councilmember Bragg's question regarding selection of a new Pier Restaurant, Port Commissioner Malcom stated Assistant City Manager Dush is on the selection committee and, once responses are received, the projects should go fairly quickly.

Councilmember Bragg thanked the Port for looking into the intersection of Seacoast and IB Blvd. and stated now is the time to pool all resources for the common interest on that intersection.

Mayor Dedina thanked Commissioner Malcolm on his enthusiasm, passion, and sense of urgency and all his work on Pond 20.

CONSENT CALENDAR (2.1-2.5)

Nellie Van Hazel and Don Dominguez submitted speaker slips in support of Item No. 2.2

MOTION BY BILBRAY, SECOND BY BRAGG, TO ADOPT CONSENT CALENDAR ITEM NOS. 2.1 THROUGH 2.5. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BRAGG, BILBRAY, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: PATTON, SPRIGGS

2.1 ROTATION OF MAYOR PRO TEMPORE DUTIES. (0410-13)

Appointed Councilmember Edward Spriggs as Mayor Pro Tempore for a one-year period pursuant to City Council Policy 112 effective at the first Council meeting in January.

2.2 RESOLUTION NO. 2015-7656 AWARDED PUBLIC WORKS CONTRACT TO WIT: INSTALLATION OF SOCCER FIELD NETTING - PROJECT NO. (P16-301) AND APPROPRIATING AN ADDITIONAL \$20,000 FROM THE GENERAL FUND UNASSIGNED FUND BALANCE TO PROJECT NO. (P16-301). (0920-70)

Adopted Resolution No. 2015-7656 awarding the contract for the Soccer Field Netting installation to Judge Netting, Inc. at a bid price of \$44,500. Adopted Resolution No. 2015-7656 will also appropriate an additional \$20,000 from the General Fund Unassigned Fund Balance Reserve to Project No. P16-301.

2.3 RESOLUTION NO. 2015-7657 AWARDED PUBLIC WORKS CONTRACT TO WIT: BAYSHORE BIKEWAY FENCE REMOVAL - PROJECT NO. (P16-703) AND APPROPRIATING AN ADDITIONAL \$21,000 FROM THE AMENDED COUNTY OF SAN DIEGO NEIGHBORHOOD REINVESTMENT PROGRAM GRANT TO PROJECT NO. (P16-703). (0680-20)

Adopted Resolution No. 2015-7657 awarding the contract for the Bayshore Bikeway Fence Removal to Quality Fence Company, Inc. at a bid price of \$48,400. Adoption of Resolution No. 2015-7657 will also appropriate an additional \$21,000 from the County of San Diego Neighborhood Reinvestment Program Grant Amendment (when received) to Project No. P16-703.

2.4 RECEIVE AND FILE THE ANNUAL AUDIT OF HOUSING AUTHORITY FUNDS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34327.6 AND THE AUDIT OF THE LOW AND MODERATE INCOME HOUSING ASSET FUND AND THE REPORT OF THE HOUSING AUTHORITY SERVING AS THE SUCCESSOR HOUSING ENTITY OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34176.1(f). (0412-50)

The Housing Authority:

1. Received and filed the audit of Housing Authority funds as included in the City's audited Financial Statements for fiscal year ended June 30, 2015 (beginning on Page 18) pursuant to HSC 34327.6 of the Housing Authorities Law;
2. Received and filed the audit of the Low and Moderate Income Housing Asset Funds of the Housing Authority as included in the City's audited Financial Statements for fiscal year ended June 30, 2015 (beginning on Page 18) pursuant to HSC 34176.1(f) of the Dissolution Laws;
3. Received and filed the Report providing the information required by HSC Section 34176.1(f) of the Dissolution Laws.

2.5 AUTHORIZATION TO EXECUTE AN AGREEMENT WITH GREEN DE BORTNOWSKY, LLP FOR TEMPORARY AND LIMITED LEGAL SERVICES. (0440-30)

Authorized the City Manager to execute an agreement for temporary and limited legal services with the law firm of Green de Bortnowsky, LLP to resolve a dispute related to the provision of wastewater services for the proposed Navy Coastal Campus.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

PUBLIC HEARINGS (4)

None.

REPORTS (5.1)

**5.1 AD HOC COUNCIL SUB-COMMITTEE TO WORK ON COMMERCIAL ZONING
RELATIVE TO MULTI-FAMILY RESIDENTIAL. (0410-05 & 0610-05)**

City Manager Hall reported on the item, recommended having 2 Councilmembers to comply with Brown Act regulations and having committee members meet with the public and staff to get input.

Mayor Dedina read an e-mail by Michael Carey, submitted as Last Minute Agenda Information, in support of Councilmember Patton serving on the committee.

Terry Johnson stated when the neighborhood group got started it was in response to projects that raised concerns regarding zoning issues. She thanked council for working with them.

In response to Councilmember Bragg's questions, City Manager Hall stated the Ad Hoc subcommittee will give monthly updates and if any issues need to go to the Coastal Commission for review it might take some time, otherwise it should move fairly quickly. He stated there would be a workshop that is dedicated to discussing the issues.

Mayor Dedina suggested a tour so the issues can be physically seen.

**MOTION BY BRAGG, SECOND BY BILBRAY, TO CREATE AN AD HOC COUNCIL
SUBCOMMITTEE WITH COUNCILMEMBERS PATTON AND SPRIGGS TO SCOPE THE
ISSUES RELATIVE TO CONCERNS RAISED ABOUT SOME MIXED USE ZONING
DISTRICTS AND PREPARE AN INITIAL ISSUES REPORT AND FORWARD SAID REPORT
TO THE ENTIRE CITY COUNCIL FOR REVIEW. MOTION CARRIED BY THE FOLLOWING
VOTE:**

**AYES: COUNCILMEMBERS: BRAGG, BILBRAY, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: PATTON, SPRIGGS**

Mayor Dedina announced the Alley Project ribbon cutting ceremony, extended an invitation for the public to join in and thanked Council for working on this project.

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6)

None.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

None.

ADJOURNMENT

Mayor Dedina adjourned the meeting at 5:22 p.m.

_____/s/
Sunem Carballo,
Deputy City Clerk

_____/s/
Serge Dedina,
Mayor